

157.

ROYAL COURT

25th October, 1990

Before: The Bailiff, and
Jurats Coutanche and Gruchy

Police Court Appeals: Kok Seng Voon
and
Yau Sing Hee

Appeals against sentences of eight weeks' imprisonment imposed following respective convictions on charges of contraventions of section 26(1)(c) of the Immigration Act, 1971, as extended to Jersey by the Immigration (Jersey) Order, 1972 (by making statements which they knew to be false or did not believe to be true).

Advocate S.C. Nicolle for the Crown
Advocate M.E. Whittaker for the appellants.

JUDGMENT

BAILIFF: Neither of you made any attempt to enquire from the United Kingdom if they would let you in so that you made these arrangements, admittedly with somebody who has obviously done it before and therefore a prison sentence is inevitable unless there are exceptional circumstances and we cannot find any exceptional circumstances here. The Island must not be used as a back door. But because Miss Chew who was obviously one of the leading persons in this affair received ten

weeks we think there is too little difference between her sentence and yours. Therefore the appeal will be allowed in part and the sentence varied to one of six weeks. Legal aid costs.

Authorities referred to

D.A. Thomas' Principles of Sentencing (2nd Edition), at p.180.

A.G. -v- Shori (25th July, 1986) Jersey Unreported.

A.G. -v- Mamodo (28th September, 1990) Jersey Unreported.